GOVERNMENT OF UTTAR PRADESH

THE GOVERNMENT SERVANTS' CONDUCT RULES, 1956

(Corrected up to July 1989)

KARMIK ANUBHAG—1

ALLAHABAD:
DIRECTOR, PRINTING AND STATIONERY, U. P., INDIA
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APPOINTMENT (B) DEPARTMENT

MISCELLANEOUS

July 21, 1956

No. 2367/II-B-118-54.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Uttar Pradesh makes the following rules to regulate the conduct of government servants employed in connexion with the affairs of the State of Uttar Pradesh :

THE UTTAR PRADESH GOVERNMENT SERVANTS' CONDUCT RULES, 1956

1. *Short title*.—These rules may be called the Uttar Pradesh Government Servants' Conduct Rules, 1956.

2. *Definitions*.—In these rules unless the context otherwise requires—

(*a*) "Government" means the Government of Uttar Pradesh ;

(*b*) "Government servant" means a person appointed to public services and posts in connexion with the affairs of the State of Uttar Pradesh;

Explanation.—A government servant whose services are placed at the disposal of a company, a corporation, an organisation, a local authority, the Central Government or the Government of another State by the U. P. Government, shall, for the purposes of these rules be deemed to be a government servant notwithstanding that his salary is drawn from sources other than from the Consolidated Fund of Uttar Pradesh.

*(c) "member of the family" in relation to government servant, includes—

(*i*) the wife, son, step son, unmarried daughter or unmarried step daughter of such government servant whether residing with him or not, and, in relation to a government servant, who is a woman, the husband, son, step sons, unmarried daughters or unmarried step daughters dependent on her and residing with her or not, and

*Amended, *vide* notification no. 9/7/78-Karmik-1, dated November 20, 1980.

(*ii*) any other person related, whether by blood or by marriage, to the government servant or to such government servant's wife or her husband, and wholly dependent on such government servant;

but does not include a wife or husband legally separated from the government servant or a son, step son, unmarried daughter or unmarried step daughter who is no longer, in any way dependent upon him or her, or of whose custody, the government servant has been deprived by law.

3. *General*.—(1) Every government servant shall at all times maintain absolute integrity and devotion to duty.

(2) Every government servant shall at all times conduct himself in accordance with the specific or implied orders of Government regulating behaviour and conduct which may be inforce.

4. *Equal treatment for all*.—(1) Every government servant shall accord equal treatment to people irrespective of their caste, sect or religion.

*(2) No government servant shall practice untouchability in any form.

†4-A. *Consumption of intoxicating drinks and drugs*.—A government servant shall—

(*a*) strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which he may happen to be for the time being ;

(*b*) not be under the influence of any intoxicating drink or drug during the course of his duty and shall also take due care that the performance of his duty at any time is not affected in any way by the influence of such drink or drug ;

(*c*) refrain from consuming any intoxicating drink and drug in a public place ;

(*d*) not appear in a public place in a state of intoxication ;

(*e*) not use any intoxicating drink or drug too excess.

Explanation I.—For the purposes of this rule, 'public place' means any place or premises (including a conveyance) to which the public have, or are permitted to have access, whether on payment or otherwise.

*Added, *vide* notification no. 9/1/75- Karmik-1 (2), dated July 28, 1976.
†Amended, *vide* notification no. 9/6/1974-Karmik-1, dated July 27, 1976.

†*Explanation* II.—Any club—

(*a*) which admits persons other than government servants as members; or

(*b*) the members of which are allowed to invite non-members as guests thereto even though the membership is confined to Government servants ;

shall also, for purposes of Explanation I, be deemed to be a place to which the public have or are permitted to have access.

5. *Taking part in politics and elections*.—(1) No government servant shall be a member of, or be otherwise associated with any political party or any organization which takes part in politics, nor shall he take part in, subscribe in aid of, or assist in any other manner, any movement or organization which is, or tends directly or indirectly to be subversive of the Government as by law established.

Illustration

X, *Y*, *Z* are political parties in the State.
X is the party in power and forms the Government of the day.
A is a government servant.
The prohibitions of the sub-rule apply to *A* in respect of all parties including *X*, which is the party in power.

(2) It shall be the duty of every government servant to endeavour to prevent any member of his family from taking part in, subscribing in aid of, or assisting in any other manner any movement or activity which is, or tends directly or indirectly, to be, subversive of the Government as by law established and where a government servant fails to prevent a member of his family from taking part in, or subscribing in aid of, or assisting in any other manner, any such movement or activity, he shall make a report to that effect to the Government.

Illustration

A is a government servant.

B is a member of the family of *A*, as defined in rule 2(*c*).

M is a movement or activity, which is or tends directly or indirectly to be, subversive of Government as law established.

A becomes aware that *B*'s association with *M* is objectionable under the provisions of the sub-rule. *A* should prevent such objectionable association of *B*. If *A* fails to prevent such association of *B*, he should report the matter to the Government.

†Added, *vide* notification no. 9/6/1974-Karmik—1, dated February 22, 1978.

*(3) [* * * *]

If any question arises whether any movement or activity falls within the scope of this rule, the decision of the Government thereon shall be final.

(4) No government servant shall canvass or otherwise interfere or use his influence in connection with, or take part in, an election to any legislature or local authority ;

Provided that :—

(*i*) a government servant qualified to vote at such election may exercise his right to vote, but where he does so, he shall give no indication of the manner in which he proposes to vote or has voted ;

(*ii*) a government servant shall not be deemed to have contravened the provisions of this rule by reason only that he assists in the conduct of an election in the due performance of a duty imposed on him by or under any law for the time being in force.

Explanation—The display by a government servant on his person, vehicle, or residence of any electoral symbol shall amount to using his influence in connection with an election within the meaning of this sub-rule.

Illustration

Acting as Returning Officer, Assistant Returning Officer, Presiding Officer, Polling Officer or Polling Clerk in connexion with an election does not contravene the provisions of sub-rule (4).

†5-A. *Demonstrations and strike*—No government servant shall.—

(1) engage himself or participate in any demonstration which is prejudicial to the interest of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality, or which involves contempt of court, defamation or incitement to an offence, or

(2) resort to, or in any way abet, any form of strike in connection with any matter pertaining to his service or the service of any other government servant.

5-B. *Joining of associations by government servants*—No government servant shall join, or continue to be a member of an association, the objects or activities of which are prejudicial to the interest of the sovereignty and integrity of India or public order or morality.

*Deleted, *vide* notification no. 2756/ II-B—118-54, dated August 8, 1974.
†Added, *vide* notification no. 6450/II-B—152-57, dated May 11, 1964.

6. *Connection with press or radio*—(1) No government servant shall except with the previous sanction of the Government own wholly or in part of conduct or participated in editing or managing of any newspaper or other periodical publication.

(2) No government servant shall, except with the previous sanction of the Government or any other authority empowered by it in this behalf, or in the *bona fide* discharge of his duties, participate in a radio broadcast or contribute any article or write any letter, either anonymously or in his own name or in the name of any other person to any newspaper or periodical :

Provided that no such sanction shall be required if such broadcast or such contribution is of a purely literary artistic or scientific character.

7. *Criticism of Government*—No government servant shall in any radio broadcast or in any document publish anonymously or in his own name, or in the name of any other person, or in any communication to the Press, or in any public utterance, make any statement of fact or opinion—

(*i*) which has the effect of any adverse criticism of any decision of his superior officers or of any current or recent policy or action of the Uttar Pradesh Government or the Central Government or the Government of any other State or a local authority ; or

(*ii*) which is capable of embarrassing the relations between the Uttar Pradesh Government and Central Government or the Government of any other State ; or

(*iii*) which is capable of embarrassing the relations between the Central Government and the Government of any foreign State :

Provided that nothing in this rule shall apply to any statement made or views, expressed by a government servant in his official capacity or in the due performance of the duties assigned to him.

Illustration

(1) *A*, a government servant is dismissed from service by the Government. It is not permissible for B another government servant, to say publicly that the punishment is wrongful, excessive or unjustified.

(2) A public officer is transferred from station A to station B. No government servant can join the agitation for the retention of the public officer at station A.

(3) It is not permissible for a government servant to criticise publicly the policy of Government on such matters as the price of sugarcane fixed in any year, nationalisation of transport, etc.

(4) A government servant cannot express any opinion on the rate of duty imposed by the Central Government on specified imported goods.

(5) A neighbouring State lays claim to a tract of land lying on the border of Uttar Pradesh. A government servant cannot publicly express any opinion on the claim.

(6) It is not permissible for a government servant to publish any opinion, on the decision of foreign State to terminate the concessions given by it to the nationals of another State.

8. *Evidence before committee or any other authority*—(1) Save as provided in sub-rule (3) no government servant shall, except with the previous sanction of the Government, give evidence in connexion with any enquiry conducted by any person, committee or authority.

(2) Where any sanction has been accorded under sub-rule (1) no government servant giving such evidence shall criticise the policy of the Uttar Pradesh Government, the Central Government or any other State Government.

(3) Nothing in the rule shall apply to—

(*a*) evidence given at an inquiry before an authority appointed by the Government, by the Central Government, by the Legislature of Uttar Pradesh or by Parliament, or

(*b*) evidence given in any judicial inquiry.

9. *Unauthorised communication of information*—No government servant shall, except in accordance with any general or special order of the Government or in the performance, in good faith, or the duties assigned to him, communicate, directly or indirectly, any official document or information to any government servant or any other person to whom he is not authorised to communicate such document or information.

Explanation—Quotation by a government servant in his representation to his official superiors, of or from the notes on any file shall amount to unauthorised communication of information within the meaning of this rule.

†10. *Subscriptions*—No government servant shall, except with the previous sanction of the government ask for or accept contributions to, or otherwise associate himself with the raising of, any funds or other collections in cash or in kind in pursuance of any object whatsoever.

†11. *Gifts*—A Government servant shall not without previous approval of government—

†Amended, *vide* notification no. 9/7/78-Karmik-1, dated November 20, 1980.

(*a*) accept directly or indirectly on his own behalf or on behalf of any other person, or

(*b*) permit any member of his family who is dependent on him, to accept,

any gift, gratuity or reward from any person other than a close relation :

Provided that he may accept or permit any member of his family to accept from a personal friend, a wedding present or a present on a ceremonial occasion, of a value not exceeding Rs.51. All government servants shall, however, use their best endeavour to discourage even the tender of such presents.

Illustration

The citizens of a town decide to present to 'A' a Sub-Divisional Officer, a watch exceeding Rs.51 in value in appreciation of the services rendered by him during the flood.

'A' cannot accept the present without the previous approval of the Government.

*11-A. No government servant shall—

(*i*) give or take or abet the giving or taking of dowry ; or

(*ii*) demand, directly or indirectly from the parents or guardian of a bride or bridegroom, as the case may be any dowry.

Explanation—For the purposes of this rule the word 'dowry' has the same meaning as in the Dowry Prohibition Act, 1961 (28 of 1961).

†12. [Deleted]

†13. [Deleted].

14. *Public demonstrations in honour of government servants*—No government servant shall, except, with the previous sanction of the Government receive any complimentary or valedictory address, or accept any testimonial or attend any meeting or public entertainment held in his honour, or in the honour of any other government servant :

Provided that nothing in this rule shall apply to a farewell entertainment of a substantially private or informal character and held in honour of a government servant on the occasion of his retirement or transfer or of any person who has recently quitted service of the Government.

*Added, *vide* notification no. 9/1/176—Karmik—1, dated July 29, 1976.

†Deleted, *vide* notification no. 9/7/78—Karmik—1, dated November 20, 1980

Illustration

A, a Deputy Collector, is due to retire. *B*, another Deputy Collector in the district, may give a dinner in honour of *A* to which selected persons are invited.

15. *Private trade or employment*—No government servant shall except with the previous sanction of the Government, engage directly or indirectly in any trade, business or undertake any employment :

Provided that a government servant may, without such sanction undertake honorary work of a social or charitable nature or occasional work of a literary, artistic or scientific character, subject to the condition that his official duties do not thereby suffer and that he informs his Head of Department, and when he is himself the Head of the Department, the Government, within one month of his undertaking such a work, but he shall not undertake, or shall discontinue, such work if so directed by the Government.

†16. *Registration, promotion and management of companies*—No Government servant shall, except with the previous sanction of the Government, take part in the registration, promotion or management of any bank or other company registered under the Companies Act, 1956 or under any other law for the time being in force :

Provided that a government servant may take part in the registration, promotion or management of a co-operative society registered under the Uttar Pradesh Co-operative Societies Act, 1965 (U. P. Act no. XI of 1966), or under any other law for the time being in force or of a literary, scientific or charitable society registered under the Societies Registration Act, 1860 (Act XXI of 1860), or under any corresponding law in force, but he will not take part in, or associate himself with the collection of funds or raising subscriptions of selling shares or any other financial transactions of such society :

Provided further that, if a government servant attends any bigger Co-operative Society or body as a delegate of any Co-operative Society, he will not seek election for any post of that bigger society or body. He may take part in such election only for purposes of casting his vote.

†Amended, *vide* notification no. 9/7/78-Karmik-1, dated November 20, 1980.

17. *Insurance business*—A government servant shall not permit his wife or any other relative who is either wholly dependent on him or is residing with him, to act as an insurance agent in the same district in which he is posted.

18. *Guardianship of minors*—A government servant may not, without the previous sanction of the appropriate authority, act as a legal guardian of the person or property of a minor other than his dependent.

Explanation 1—A dependent for the purpose of this rule means a government servant's wife, children and step-children and children's children and shall also include his parents, sisters, brothers, brother's children and sister's children if residing with him and wholly dependent upon him.

Explanation 2—Appropriate authority for the purpose of this rule shall be as indicated below :

For a Head of Department, Divisional Commissioner or a Collector	The State Government.
For a District Judge	The Administrative Judge of the High Court.
For other government servants	The Head of the Department concerned.

19. *Action in respect of a relation*—(1) Where a government servant submits any proposal or opinion or takes any other action, whether for or against any individual related to him, whether the relation ship be distant or near, he shall with every such proposal, opinion or action, expressly state whether the individual is or is not related to him, and if so related the nature of the relationship.

(2) Where a government servant has by any law, rule or order in force power of deciding finally any proposal, opinion or any other action and that proposal, opinion or action is in respect of an individual related to him, whether the relationship be distant or near and whether that proposal, opinion or action affects the individuals favourably or otherwise he shall not take a decision, but shall submit the case to his superior officer after explaining the reasons and the nature of relationship.

20. *Speculation*— (1) No government servant shall speculate in any investment.

Explanation—The habitual purchase or sale of securities of a notoriously fluctuating value shall be deemed to be speculation in investments within the meaning of the rule.

(2) If any question arises whether a security or investment is of the nature referred to in sub-rule (1), the decision of the Government thereon shall be final.

†21. *Investment*—(1) No Government servant shall make, or permit any member of his family to make any investment likely to embarrass or influence him in the discharge of his official duties.

(2) If any question arises whether a security or investment is of the nature referred to in sub-rule (1), the decision of the Government thereon shall be final.

Illustration

A District Judge shall not permit his wife, or son to open a cinema house or to purchase a share therein, in the district where he is posted and if he is transferred to a district where a member of his family has already made such an investment, he shall immediately inform his superior authority.

†22. *Lending and borrowing*—(1) No government servant shall, except with the previous sanction of the appropriate authority, lend money to any person at interest or in a manner whereby return in money or in kind is charged or paid :

Provided that a government servant may make an advance of pay to a private servant, or give a loan of a small amount, free of interest, to a personal friend or relative.

(2) No government servant shall, save in the ordinary course of business with a bank, Co-operative Society or a firm, or otherwise place himself under pecuniary obligation to any person within the local limits of his authority nor shall he be permit any member of his family, except with the previous sanction of the appropriate authority, to enter into any such transactions :

Provided that a government servant may accept a purely temporary loan of small amount free of interest, from a personal friend or relative or operate a credit account with a bonafide tradesman.

†Amended, *vide* notification no. 9/7/78-Karmik-1, dated November 20, 1980

(3) When a government servant is appointed or transferred to a post of such a nature as to involve him in the breach of any of the provisions of sub-rule (1), or sub-rule (2), he shall forthwith report the circumstances to the appropriate authority, and shall thereafter act in accordance with such orders as may be passed by the appropriate authority.

(4) The appropriate authority in the case of government servants who are gazetted officers, shall be the Government and in other cases, the Head of the Offices.

23. *Insolvency and habitual indebtedness*—A government servant shall so manage his private affairs as to avoid habitual indebtedness or insolvency. A government servant who becomes the subject of legal proceedings for insolvency shall forthwith report the full facts to the head of the office or department in which he is employed.

24. *Movable, immovable and valuable property*—(1) No government servant shall except with the previous knowledge of the appropriate authority, acquire or dispose of any immovable property by lease, mortgage, purchase, sale, gift or otherwise, either in his own name or in the name of any member of his family :

Provided that any such transaction conducted otherwise than through a regular and reputed dealer shall require the previous sanction of the appropriate authority.

Illustration

A, a government servant, proposes to purchase a house. He must inform the appropriate authority of the proposal. If the transaction is to be made otherwise than through a regular and reputed dealer *A*, must also obtain the previous sanction of the appropriate authority. The same procedure will be applicable if *A* proposes to sell his house.

*(2) A government servant who enters into any transaction concerning any movable property exceeding in value, the amount of his pay for one month or rupees one thousand, whichever is less, whether by way of purchase, sale or otherwise, shall forthwith report such transaction to the appropriate authority :

Provided that no government servant shall enter into any such transaction except with or through a reputed dealer or agent of standing, or with the previous sanction of the appropriate authority.

*Amended, *vide* notification no. 9/6/74-Karmik-1, dated July 27, 1976.

Illustration

(i) *A*, a government servant whose monthly pay is rupees six hundred, purchases a tape-recorder for rupees seven hundred, or

(ii) *B*, a government servant whose monthly pay is rupees two thousand sells a car for rupees one thousand five hundred.

In either case *A* or *B* must report the matter to the appropriate authority. If the transaction is made otherwise than through a reputed dealer he must also obtain the previous sanction of the appropriate authority.

(3) At the time of first appointment and thereafter at intervals of five years, every government servant shall make to the appointing authority through the usual channel, a declaration of all immovable property owned, acquired or inherited by him or held by him on lease or mortgage, and of shares and other investments, which may, from time to time be held or acquired by him or by his wife or by any member of his family living with, or in any way dependent upon him. Such declaration should state the full particulars of the property, shares and other investment.

(4) The appropriate authority may, at any time, by general or special order, require a government servant to submit within a period specified in the order a full and complete statement of such movable or immovable property held or acquired by him or by any member of his family as may be specified in the order. Such statement shall, if so required by the appropriate authority, include details of the means by which or the source from which such property was acquired.

(5) The appropriate authority—

(*a*) in the case of a government servant belonging to the State service, shall for purposes of sub-rules (1) and (4), be the Government and for sub-rule (2), the Head of the Department;

(*b*) in the case of other government servants, for the purposes of sub-rules (1) to (4) shall be the Head of the Department.

25. *Vindication of acts and character of government servants*—No government servant shall except with the previous sanction of the Government have recourse (*) to the press for the vindication of any official act which has been the subject-matter of adverse criticism or an attack of defamatory character.

* Deleted, *vide* notification no. 1619/II-B-101(2)-61, dated August 3, 1960

Explanation—Nothing in this rule shall be deemed to prohibit a government servant from vindicating his private character or any act done by him in private capacity.

*26. [Deleted]

27. *Canvassing of non-official or other outside influence*—No government servant shall bring or attempt to bring whether himself, personally or through a member of his family, any political or other outside influence to bear upon any question relating to his interest in respect of matters pertaining to his service.

Explanation—Any act done by the wife or husband, as the case may be, or any member of the family of a government servant and falling within the purview of this rule, shall be presumed to have been done at the instance, or with the connivance of the government servant concerned, unless the contrary shall have been proved.

Illustration

A is a government servant and *B* a member of the family of *A*. *C* is a political party and *D* is an organisation under *C*. *B* gained sufficient prominence in *C* and became an office-bearer of *B*. Through D, B started sponsoring the cause of *A* to the extent that *B* sponsored some resolutions against *A*'s official superiors. This action which will be in violation of the provisions of the above rule on the part of *B* shall be presumed to have been done by *B* at the instance, or with connivance of *A* unless *A* is able to prove that this was not so.

†27-A. *Representation by government servants*—No government servant shall, whether personally or through a member of his family, make any representation to Government or any other authority except through the proper channel and in accordance with such directions as the Government may issue from time to time. The Explanation to rule 27 shall apply to this rule also.

28. *Unauthorised pecuniary arrangements*—No government servant shall enter into any pecuniary arrangement with another government servant or any other person so as to afford any kind or advantage to either or both of them in any unauthorised manner or against the specific or implied provisions of any rule for the time being in force.

*Deleted, *vide* notification no. 3116/II-B-32-52, dated August, 13, 1960.

†Added, *vide* notification no. 9/6/74-Karmik-1, dated July 27, 1976.

Illustration

(1) 'A' is a senior clerk in an office and is due for officiating promotion. 'A' is diffident of discharging his duties satisfactorily in the officiating post. 'B' a junior clerk privately offers for a pecuniary consideration to help 'A'. 'A' and 'B' accordingly enter into pecuniary arrangements. Both would thereby infringe the rule.

(2) If, 'A' the Superintendent of an office, proceeds on leave, 'B' the seniormost assistant in the office, will be given a chance to officiate. If 'A' proceeds on leave after entering into arrangement with 'B' for a share in the officiating allowance, 'A' and 'B' both would commit a breach of the rule.

29. *Bigamous marriages*—(1) No government servant who has a wife living shall contract another marriage without first obtaining the permission of the Government notwithstanding that such subsequent marriage is permissible under the personal law for the time being applicable to him.

(2) No female government servant shall marry any person who has a wife living without first obtaining the permission of the Government.

30. *Proper use of amenities*—No government servant shall misuse or carelessly use, amenities provided for him by the Government to facilitate the discharge of his public duties.

Illustration

Among the amenities provided to government servant are cars, telephones, residences, furniture, orderlies, article of stationery, etc. Instances of misuse, or careless use, of these are—

(*i*) employment of Government cars at Government expense by members of the family of the Government servant or his guests, or for other non-Government work;

(*ii*) making telephone, trunk calls at Government expense on matters not connected with official work ;

(*iii*) neglect of Government residences and furniture and failure to maintain them properly ; and

(*iv*) use of Government stationery for non-official work.

31. *Payment for purchases*—Unless payment by instalment is customary, or specially provided, or a credit account is maintained with a *bona fide* tradesman, no government servant shall withhold prompt and full payment for the article purchased by him whether the purchases are made on tour or otherwise.

32. *Use of services without payment*—No government servant shall without making proper and adequate payment, avail himself of any service or entertainment for which a hire or price or admission fee is charged.

Illustration

Unless specifically prescribed as part of duty, a government servant shall not—

(*i*) travel free of charge in any plying for hire ;

(*ii*) see a cinema show without paying the admission fee.

[NOTE—Deleted *vide* notification no. 4644/II.B—152(3)-58, dated November 22, 1958].

33. *Use of conveyances belonging to others*—No government servant shall, except in exceptional circumstances, use a conveyance belonging to a private person or government servant who is subordinate to him.

†34. *Purchase through subordinates*—No government servant shall himself ask or permit his wife, or any member of his family living with him to ask any government servant who is subordinate to him, to make purchase locally or from out station on behalf of him, his wife or other member of his family, whether on advance payment or otherwise.

Illustration

'A' is a superior officer. 'B' is subordinate officer under 'A'.

'A' should not allow his wife to ask 'B' to have cloth purchased for her.

35. *Interpretation*—If any question arises relating to the interpretation of these rules, it shall be referred to the Government whose decision thereon shall be final.

36. *Repeal and saving*—Any rules corresponding to these rules in force immediately before the commencement of these rules and applicable to government servant under the control of the Government of Uttar Pradesh are hereby repealed:

Provided that an order made or action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

A. N. JHA,
Chief Secretary.

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†Amended, *vide* notification no. 9/7/78—Karmik-1, dated November 20, 1980.

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